

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUSTIN ALLEN DAVEY,

Plaintiff,

v.

PIERCE COUNTY COUNCIL, et al.,

Defendant.

Case No. C21-05068-JCC-SKV

ORDER GRANTING PLAINTIFF'S
MOTION FOR EXTENSION OF TIME

This is a 42 U.S.C. § 1983 prisoner civil rights action. By order dated October 28, 2021, the Court directed the parties to submit additional briefing with respect to Defendants' motion to dismiss. Dkt. 44. The Court directed Defendants to submit their supplemental brief in support of their motion to dismiss by November 17, 2021, that Plaintiff may file a response to Defendants' supplemental brief by November 29, 2021, and that Defendants could file a reply by December 3, 2021. *Id.* The Court also re-noted Defendants' motion to dismiss to December 3, 2021. *Id.* Plaintiff now moves for an extension of time to January 24, 2021, to respond to Defendants' supplemental briefing. Dkt. 45.

In support of his motion, Plaintiff indicates that he is scheduled to be released from Department of Corrections custody on November 27, 2021, and that his documents related to his

1 case are boxed up and he will not have access to them until after he is released. Dkt. 45.
2 Plaintiff also indicates he believes he will require additional time to figure out the process for
3 filing documents with the Court once he is released. *Id.* He further indicates that due to
4 COVID-19 outbreaks and quarantine requirements at his facility he has been unable to access the
5 law library sufficiently to perform legal research. *Id.* Defendants did not oppose or otherwise
6 respond to Plaintiff's motion. *Id.*

7 Accordingly, it is hereby ORDERED:

8 (1) Having shown good cause, Plaintiff's motion for an extension of time to respond to

9 Defendants' supplemental briefing, Dkt. 45, is GRANTED.

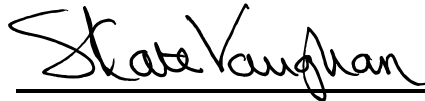
10 (2) Plaintiff's response to Defendants' supplemental brief, Dkt. 47, is due by **January 24,**
11 **2022.**

12 (3) Defendants' reply is due by **January 28, 2022.**

13 (4) The Clerk is directed to re-note Defendants' motion to dismiss, Dkt. 33, to **January 28,**
14 **2022.**

15 The Clerk is directed to send copies of this order to the parties and to the Honorable John
16 C. Coughenour.

17 Dated this 23rd day of November, 2021.

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21 S. KATE VAUGHAN
22 United States Magistrate Judge
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